UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/822,342	04/12/2004	Tomoyuki Shimizu	CANO:134	3120

37013   7590   10/16/2008
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EXAMINER
ZHEN, LI B

ART UNIT	PAPER NUMBER
2194	

MAIL DATE	DELIVERY MODE
10/16/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	10/822,342	SHIMIZU ET AL.
Office Action Summary	Examiner	Art Unit	
	LI B. ZHEN	2194	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _26 August 2008_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1,5,8,10 and 12_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1,5,8,10 and 12_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

U.S. Patent and Trademark Office

PTOL-326 (Rev. 08-06)   **Office Action Summary**   Part of Paper No./Mail Date 20081010

DETAILED ACTION

1.   Claims 1, 5, 8, 10 and 12 are presented for examination.

Continued Examination Under 37 CFR 1.114

2.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

8/16/2008 has been entered.

Response to Arguments

3.   Applicant's arguments with respect to the claims have been considered but are

moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

6.   **Claims 1, 5, 8, 10 and 12 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over U.S. Patent No. 6,633,910 to Rajan et al. [hereinafter Rajan,

previously cited] in view of U.S. Patent Application Publication No. 2004/0117798

to Newman et al. [hereinafter Newman].

7.   As to claim 1, Rajan teaches the invention substantially as claimed including a

method of notifying updates [notification control module 85 is provided for allowing a

user to be notified of any specified data changes; col. 15, lines 25 – 35] of a plurality of

stored data [Data stored in aggregation; col. 8, lines 25 – 34], comprising:

        a detection step of detecting update of data which have not been notified to a

user [T 79 may be set to near o or "real time monitor" mode. This mode may be used to

continuously monitor a site wherein data is frequently and rapidly changing; col. 16,

lines 23 – 38] from the plurality of stored data [Any new data found in source sites that

does not match a last input template used at the source site is regarded as new data or

a change in data; col. 14, lines 18 – 55];

an extraction step of extracting an update from the update data [a filter for the data/metadata that is collected by the gathering subsystem (GSS); col. 17, lines 28 – 40];

an accumulation step of accumulating the difference of the data as a notification content [a notification event comprises at least summary data describing the nature of the data changes, col. 16, line 56 – col. 17, line 5; notification comprises data changes at two or more sites (metadata changes), col. 3, lines 53 – 65 and col. 16, lines 37 – 49]; and

displaying the accumulated data [information is rendered onto a user-specified device [col. 17, lines 40 – 51]. Although Rajan teaches the invention substantially, Rajan does not specifically disclose extracting a difference between the data before and after the update which have not been notified, accumulating multiple differences of the data corresponding to the multiple updates, and displaying the accumulated multiple differences of data in order of the updates as a notification content.

However, Newman teaches extracting a difference between the data before [old value] and after [new value] the update which have not been notified [old value field 777 stores the value of the current value field 757 just prior to time indicated in the time field 781; paragraphs 0105, 0106, 0109, 0120], accumulating multiple differences [property history collection 763; paragraph 0102] of the data corresponding to the multiple updates [property history entry 773, Fig. 11; paragraph 0105], and displaying [user interface window to enable users at computer 12 to access the functionality of (including accessing the contextual data; paragraph 0056 and 0077] the accumulated multiple

differences of data in order of the updates as a notification content [orders the results

according to the prioritization parameters; paragraph 0138].

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to modify the invention of Rajan to incorporate the features of

Newman. One of ordinary skill in the art would have been motivated to combine the

teachings of Rajan and Newman because this provides history context that enable a

wide range of applications and accessible to other components [paragraphs 0229 and

0230 of Newman].

8.   As to claim 10, this is an apparatus claim that corresponds to method claim 1;

see the rejection to claim 1 above, which also meet this apparatus claim.

9.   As to claim 12, this is a program product claim that corresponds to method claim

1; see the rejection to claim 1 above, which also meet this program product claim.

10.   As to claim 5, Rajan teaches the update content extracting step extracts the

update content in a case where the update satisfies a predetermined criterion [guard 81

receives a data change that matches a pre-programmed NC, then guard 81 issues a

notification event to notification control module 85; col. 16, lines 36 – 48 and col. 17,

lines 28 – 40].

11.   As to claim 8, Rajan as modified teaches an update criterion-setting step of

setting an update criterion [Guard 81 is programmed to compare data changes entered

into database 87 from specified sources to notification criteria entered by a user during

configuration; col. 16, lines 36 – 49 of Rajan]; wherein the difference is extracted from a

portion of the data satisfying the update criterion set in said update criterion-setting step

[If guard 81 receives a data change that matches a pre-programmed NC, then guard 81

issues a notification event to notification control module 85; col. 16, lines 36 – 48 of

Rajan].

CONTACT INFORMATION

12.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Li B. Zhen whose telephone number is (571) 272-3768.

The examiner can normally be reached on Mon - Fri, 8:30am - 5pm.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Meng-Ai An can be reached on (571)272-3756. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Li B. Zhen/   Li B. Zhen
Primary Examiner, Art Unit 2194   Primary Examiner
                                                       Art Unit 2194